

Monday, May 16, 2016

Minutes

Attendance: David Henry, Chairman, Julian Kadish, Lisa Carrozza, Jan Franceschelli, Dan Pearson and Conservation Agent, Jennifer Carlino

Absent: Scott Ollerhead, Vice Chairman & Ron O'Reilly

The meeting was called to order at 7:00 pm.

DRAFT MINUTES

March 21, 2016 – Minor edits were made to the draft minutes. Motion by Dan Pearson to accept the minutes, as amended, seconded by Jan Franceschelli. Approved. Lisa Carrozza abstained from voting.

7:05 pm Request for a Determination of Applicability – **(DET. #1034) – Frank C. Hovey – Parcel 688 (Assessor's Map 3) 42 So. Lakeview Rd.** – for proposed plans to remove one tree within 100 feet of Norton Reservoir.

Document List

1. WPA Form 1 – Request for Determination of Applicability
2. Color photos
3. Mortgage Plot Plan of Land in Norton, MA prepared by Hayward-Boynton & Williams, Inc. and dated October 8, 1993.

Attending the public hearing was Frank Hovey who stated that he would like to cut down a tree near the reservoir for safety reasons. He said that during snow storms large branches break off and on windy days smaller branches fall. He commented that one entire side of the tree has broken off. He said he will be replanting 4 trees to replace the tree. Lisa Carrozza asked Mr. Hovey if the trees will be replanted in the same location as the tree being cut down and he replied 2 of the trees will be located there and 2 in another location.

Motion by Julian Kadish to close the public hearing, seconded by Dan Pearson. Approved. Motion by Julian Kadish to issue a negative (#3) Determination of Applicability as long as the work is done according to the submitted plans, seconded by Lisa Carrozza. Approved.

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7:10 pm Notice of Intent – (**#250-979**) – **William Humphrey – Parcel 87 (Assessor's Map 18)**
95 Plain Street – for proposed plans to raze a house and to construct a single-family house, install a septic system, paved driveway with associated grading within 100 feet of wetlands.

Document List

1. WPA Form 3 – Notice of Intent
2. Color photos
3. Letter dated May 2, 2016 to Chris Yarworth, Yarworth Engineering Co., Inc. from Jennifer Carlino.
4. Letter dated May 5, 2016 to Jennifer Carlino from Chris Yarworth, Yarworth Engineering Co., Inc.
5. Plan entitled “Subsurface Sewage Disposal System Plan”, applicant William Humphrey, #95 Plain St., Norton, MA 02766, Scale 1”=20’, prepared by Yarworth Engineering Company, Inc., signed and stamped by Christopher D. Yarworth and dated April 20, 2016 with **latest revisions** on May 5, 2016.

Attending the public hearing was Chris Saunders, Yarworth Engineering, who described the project to the members. He commented that work will not be closer than 25 feet to the wetlands. He noted all debris at the rear of the property will be removed.

Mr. Saunders noted revised plans have been submitted per Jennifer Carlino’s comment letter. Lisa Carrozza commented that distinction should be made between cutting saplings or brush. Jennifer Carlino replied only cut within the limit of work areas. Lisa Carrozza pointed out trees at the southwest corner of the house and commented that saplings should not be cleared. Discussion ensued regarding cutting trees and Mr. Saunders stated he would speak to the applicant about leaving the trees.

David Henry asked Mr. Saunders to go through the items listed in Jennifer Carlino’s comment letter and he did so as follows:

- A revised plan showing existing conditions has been submitted.
- A note has been added to the plan showing the trees in front of the house that will be removed to make room for the septic system and required grading.
- All compost piles within the “No Disturbance Zone” will be removed.
- The “No Disturbance Zone” line is located 1’ outside the proposed limit of work marked with a post & rail fence.
- Proof of mailing to abutters was submitted with the Notice of Intent.

An abutter, Elizabeth Kelly, 97 Plain Street pointed out dead trees on the property at 95 Plain Street which branches fall regularly onto her property. Jennifer Carlino replied she will discuss pruning the trees at the pre-construction meeting for this project.

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Motion by Julian Kadish to close the public hearing, seconded by Ron O'Reilly. Approved. Jennifer Carlino commented she had drafted a standard set of conditions and asked if the members would like to sign the Order of Conditions tonight with the revisions discussed this evening. Motion by Lisa Carrozza to sign and issue the Order of Conditions, with revisions as discussed this evening, seconded by Julian Kadish. Approved.

7:15 pm Request for a Determination of Applicability - **(#1035) – Dylan Ribeiro – Parcel 138 (Assessor's Map 22) 26 Freeman Street** – for proposed plans to replace a septic system within 100 feet of Norton Reservoir.

Document List

1. WPA Form 1 – Request for a Determination of Applicability
2. Plan entitled "Upgrade of Subsurface Disposal System at 26 Freeman Street, Norton, MA, prepared by BDO Engineering, signed and stamped by David A. Oberlander and dated April 6, 2016.
3. Color photos

Attending the public hearing was David Oberlander, BDO Engineering who made the following comments to the board;

- the septic system has failed and needs to be upgraded.
- there are two wetlands, one across the street and one between this property and the lot next to it.
- the septic system is approximately 60 feet from the wetlands.
- the septic system will be a pump system with the septic tank and pump chamber located in the front yard and it will pump to the side yard.

Motion by Julian Kadish to close the public hearing, seconded by Ron O'Reilly. Approved. Motion by Julian Kadish to issue a negative (#3) Determination of Applicability as long as the work is done according to the approved plans, seconded by Lisa Carrozza. Approved.

7:20 pm Notice of Intent – **(#250-977) – Thomas Jackson – Parcel 50 (Assessor's Map 118) South Washington Street** – for proposed plans to construct a single-family house within 100 feet of wetlands, a driveway crossing the wetland and to remove an existing culvert and restore the stream bed and bordering vegetated wetland.

Document List

1. WPA Form 3 – Notice of Intent
2. Color photos
3. Plan entitled "Notice of Intent Plan South Washington Street, Property ID: 18-150, Norton, MA, prepared for Thomas Jackson by Earth Services Corporation, signed and stamped by Michael P. Patneade & Karen D. Patneade and dated April 1, 2016
4. Letter dated May 5, 2016 to Brad Holmes, Environmental Consulting and Restoration LLC from Jennifer Carlino.

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Attending the public hearing was Brad Holmes, Environmental Consulting and Restoration LLC, Thomas Jackson and Mike Patneaude, Earth Services Corporation.

Mr. Holmes made the following comments:

- The applicant is proposing to construct a driveway through wetlands for access to uplands.
- The property contains Bordering Vegetated Wetlands.
- There is an intermittent stream within the Bordering Vegetated Wetlands.
- There is an existing crossing containing a stone bridge and culvert.
- The driveway will pass through the narrowest part of the wetlands.
- A bridge is proposed rather than a culvert to minimize impacts to the stream.
- Wetland replication is proposed at a 2-1 ratio.
- The old cart path will be removed.

Jennifer Carlino asked Mr. Holmes to go through the items in her letter dated May 5, 2016 and he did as follows:

- He agreed that since the stream crossing standards are met, the project won't really alter bank.
- He agreed a refund for \$295 could be issued and thanked the commission for that.
- He described how the performance standards have been met by noting that within one Resource Area altering (Bordering Vegetated Wetland), the regulations allow for an Order of Conditions to be issued up to 5,000 sq.ft. of Bordering Vegetated Wetlands as long as wetland replication is included, which will be done at a 2-1 ratio.
- 900 sq.ft. of wetland replication is proposed.
- This is a limited project because there is only one access to the uplands.

Jennifer Carlino commented that this is a limited project because the Performance Standards cannot be met for the ACEC.

Mr. Holmes continued with his response comments:

- There are wetland comments in the Wetland Replication narrative. He noted that he will be using cedar posts with bird boxes on top for the limit of work.

Jennifer Carlino noted that the No Disturbance Zone is the limit of work and that is where the visual barrier should be placed and advised Mr. Holmes to revise the plans to show this. She commented that the Commission usually requires a post and rail fence. Jennifer Carlino pointed out another area of wetlands and asked that the revised plans reflect the limit of work in this area.

Mr. Holmes continued with his response comments:

- He noted that the "new culvert" is actually a bridge and he also noted that the construction sequence for the bridge including dewatering methods, and maintaining the flow of water in the stream, if any, during construction have been noted on the revised plans.

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- He commented that the words “erosion” control methods have been changed to “sediment” control methods on the plans.

Lisa Carrozza asked if all the work will be done by hand and all other methods of construction could be added to the Wetlands Replication Plan and Mr. Holmes replied he would add a sheet plan set.

Lisa Carrozza asked Mr. Holmes why the existing cart path cannot be used as an access to the site and Mr. Holmes replied the only problem with that is that there would be a lot more disturbance of the Bordering Vegetated Wetlands.

Lisa Carrozza asked Mr. Holmes if he had plans for utility poles and snow storage/plowing, etc. Mr. Patneau replied that all utilities will be underground. He pointed out an area for snow plowing and snow storage away from the wetlands.

Lisa Carrozza asked Mr. Holmes if any trees will have to be cut to access the replication area and he replied that some trees will have to be removed. Lisa Carrozza asked Mr. Holmes if there was any other area on site for replication to avoid cutting trees. Mr. Holmes replied that there is a 2:1 ratio at this time for tree cutting and replanting which could be changed to the state requirement of 1:1 ratio but he commented that he thought the Commission would rather the 2:1 ratio. Lisa Carrozza commented that the Commission would rather “minimal” tree removal.

Lisa Carrozza asked Mr. Holmes what type of sedimentation control would be used in the area of the excavating for replication and the upland. Mr. Holmes replied that the areas for sedimentation control are marked on the plans but not in detail. He suggested he would use silt socks if that was ok with the Commission.

Lisa Carrozza asked if the footings for the bridge will be going in the wetlands or uplands and will dewatering be necessary. Mr. Holmes replied the footings will be going in the wetlands set back from the bank of the stream. Lisa Carrozza noted sediment control will be needed on each side of the stream until the footings are in place.

Lisa Carrozza asked Jennifer Carlino if she could go back to the site and check to see if there is another area available for replication to avoid cutting as many trees as possible.

Motion by Lisa Carrozza to continue the public hearing to the next regular meeting of Monday, June 13, 2016, seconded by Dan Pearson. Approved.

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7:25 pm Notice of Intent – (**#250- 982**) – **Michael Yunits/Town of Norton – Parcel 10-03 (Assessor's Map 29) 0 Crane Street** – for proposed plans to install stormwater management infiltration basin within 100 feet of wetlands and the Three-Mile river.

Document List

1. WPA Form 3 – Notice of Intent
2. TSS Calculation Sheets
3. Plan entitled “Crane farm Preserve Stormwater Improvements, Norton, Massachusetts” Prepared by Horsley Witten Group, Inc., signed and stamped by Richard A. Claytor and dated May, 2016.

Attending the meeting was Amy Ball, Horsley Witten Group, Inc. and the Design Engineer, Jeff Glover.

Ms. Ball stated the project is to install a stormwater management infiltration basin that is designed to treat about a 1/4 of an acre of impervious surface and will be located within the buffer zone and within a Riverfront Area.

Lisa Carrozza asked where the staging and construction entrance was and Ms. Ball replied on the shoulder of the road within the right of way. Lisa Carrozza asked if the exit would be stabilized with stone and Ms. Ball replied it would be. Lisa Carrozza requested the detail of the area be shown on a revised plan.

Julian Kadish asked about the time frame for this project and Mr. Glover replied about one week.

Dan Pearson asked what type of plants were proposed and Ms. Ball replied that more native showier types such as Cardinal Flower, Iris, Asters, etc.

Lisa Carrozza asked if the sedimentation would be removed from the site and Ms. Ball replied it would be.

Motion by Julian Kadish to continue the public hearing to the next regular meeting of Monday, June 13, 2016 in order to review draft Order of Condition, seconded by Dan Pearson. Approved.

7:30 pm Request for a Determination of Applicability – (**DET. #1036**) – **Michelle Fitzgerald – Parcel 29 (Assessor's Map 11) - 71 Leonard Street** – for plans for the removal of eight trees and fill in an old swimming pool in the floodplain and within 100 feet of bordering vegetated wetland.

Document List

1. WPA Form 1 – Request for Determination of Applicability
2. Plan entitled “Sewage Disposal System/As-built Plan”, Prepared by Yarworth Engineering Co., Inc., signed and stamped by Christopher D. Yarworth and dated January 12, 2015.

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Attending the meeting was Michelle Fitzgerald.

Ms. Fitzgerald made several comments as follows:

- animals were getting inside the house because of the close proximity of the trees to the house.
- she had a tree company take a look at several trees on the property close to the house, barn and garage and she was advised that all the trees to be removed were decaying or diseased.
- she would like to replant a few trees somewhere else on the property.
- because she has small children, she would like to remove the in-ground pool and associated concrete and fill the area with clean fill.
- she would like to remove a fence and replace another fence.

Lisa Carrozza asked if she had a planting plan at this time and Ms. Fitzgerald replied she does not but would like to keep or replace with the same species that are on the property at this time as they are not available anymore.

Lisa Carrozza asked Ms. Fitzgerald if the tree stumps were going to be removed and Ms. Fitzgerald replied she would like to remove one stump between the barn and the house.

Lisa Carrozza suggested adding a condition to the Order requiring a planting plan and allowing an inspection of the pool area when filled.

Motion by Julian Kadish to close the public hearing, seconded by Jan Franceschelli. Approved.

Motion by Julian Kadish to issue a negative (#3) Determination of Applicability as long as the work is done according to the approved plans, seconded by Lisa Carrozza. Approved.

7:35 pm Request for a Determination of Applicability – **(DET. #1037) Jim Chabot – Parcel 13-04 (Assessor's Map 28) 165 Taunton Avenue** – for proposed plans to construct a single family home, garage, well, septic and associated grading within 100 feet of bordering vegetated wetland.

Document List

1. WPA Form 1 – Request for a Determination of Applicability
2. Plan entitled “Sewage Disposal Plan for 165 Taunton Avenue, Norton, MA prepared by RIM Engineering, signed and stamped by Ralph I. Maloon and dated April 21, 2016.

Attending the public hearing was Jim Chabot, J & R Enterprises.

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Mr. Chabot commented that most of the project is out of the 100-ft. buffer zone and only the well and grading are within the buffer zone. Lisa Carrozza asked Mr. Chabot where he would be stockpiling materials and he replied toward the front of the property and possibly on the adjacent lot which he owned. He noted a silt sac would be placed over the basin to prevent any debris from getting away from the site.

Jennifer Carlino noted that the existing cart path has been cleared and Mr. Chabot replied this was done by the previous owner.

Motion by Lisa Carrozza to close the public hearing, seconded by Julian Kadish. Approved. Motion by Julian Kadish to issue a negative (#3) Determination of Applicability as long as the work is done according to the approved plans. Approved.

7:40 pm Notice of Intent – **(#250-981) – Tom Brodeur, The Players Club of Boston (TPC Boston) – Parcels 16-02, 16-03 & 123 (Assessor's Map 8) 400 Arnold Palmer Boulevard** – for proposed plans to renovate two holes (#12 and #13) within the 100-foot buffer zone and construct a pile-supported bridge through a portion of a bordering vegetated wetland.

Document List

1. WPA Form 3 – Notice of Intent
2. Calculation Summary by Beals & Thomas dated April 22, 2016
3. Plan entitled “Holes 12 and 13 Renovation Project prepared by Beals & Thomas, signed and stamped by Daniel M. Gagne and Kenneth Conte (Sheet C2.1-Grading and Drainage Plan, Sheet C2.2-Grading and Drainage Plan, Sheet C1.1-Notes, Details and References and Sheet A1-Bridge Plans.

Attending the public hearing were Sarah Stearns, Beals & Thomas and Tom Brodeur, TPC.

Ms. Stearns described the project as follows:

- noted that the golf course consists of 400 acres and these two holes are approximately 15 acres.
- the project is basically a landscape project which includes a wooden bridge.
- updates are proposed to drainage, irrigation and grading.
- a 10-ft. bridge is proposed.
- no materials going in or out.
- project is just re-shaping existing landscape.

David Henry asked when the project will begin and Mr. Brodeur replied that the clearing would begin after the tournament and the main project would begin about the middle of October.

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Lisa Carrozza asked why there are no grades showing on the submitted plans and Ms. Stearns replied this is because the renovations are within the existing fairway and no materials will be placed on or removed from the site. The Commission asked for grades on the plan.

Ms. Stearns commented that the designer of the landscaping for the course does his own work and she asked that he be given flexibility as he goes along as long as he does not go beyond the limit of work. She noted that the designer tried to keep as much work as possible out of the buffer zone at hole #12.

Lisa Carrozza asked if the storm water basin was going to stay and Ms. Stearns replied that the basin does not serve much of a purpose at this time and is not working well and they would like to remove it and leave the drainage as is. Lisa Carrozza commented that sheet runoff will have to be diverted somewhere else and another basin should be installed at a different location.

Tom Brodeur commented that most of the runoff at this basin right now filters through exposed rocks and disappears. Lisa had concerns with runoff that drains towards the basin and asked where that water will go if the basin is removed. Ms. Stearns replied that the water will go exactly where it goes now which is from one pipe into the basin and out another pipe immediately to the wetland. She said that the water does not remain in the basin for any length of time. Jennifer Carlino asked if the basin was shown on the original plans and Ms. Stearns replied it was not. Lisa Carrozza suggested the removal of the basin be included in the construction sequence.

Lisa Carrozza asked Ms. Stearns if there was a detail drawn for the existing cart path and she replied there was not. Lisa Carrozza requested details be submitted to the Conservation Commission. Lisa Carrozza also requested a list of cumulative impacts to get a final total as well as a conceptual grading plan showing any grading changes for hole #12.

Lisa Carrozza asked Ms. Stearns what the total amount of disturbance will be for the entire project and if a SWPPP will be required. Jennifer Carlino commented a SWPPP will be required but has not been submitted yet.

Motion by Lisa Carrozza to continue the public hearing to the regular meeting of Monday, June 13, 2016, seconded by Dan Pearson. Approved.

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7:45 pm Notice of Intent – (#250-980) – **Michael Yunits/Town of Norton – Parcel 8 (Assessor's Map 26) South Worcester Street/Chartley Pond** – proposed plans for an aquatic plant management program at Chartley Pond to treat and remove aquatic invasive plant species using a variety of methods.

Document List

1. WPA Form 3 – Notice of Intent
2. CD – Town of Norton Lake/Pond Management Action Plan – Updated Vegetation Management Recommendations – ESS Project No. N490-000

Attending the public hearing were Mike Yunits, Town Manager and Matt Ladewig, ESS Group.

Mr. Ladewig made comments as follows:

- The Chartley Pond is approximately 43 acres in size.
- The two main invasive species present are variable leaf milfoil and water chestnut.
- 34 acres will be treated, all in Norton
- The two chemicals proposed to be used are Reward (DiQuat)-underwater and Clearcast (Imazamox)-sprayed on, both of which are contact chemicals attacking the leaves.
- Diver/hand diving is also proposed.
- Algaecides (copper based) may be used which will only kill algae.
- A Low-dose alum treatment will be applied to treat phosphorus.

Lisa Carrozza asked about the access location and Mr. Ladewig noted there was only one possible access location at this time. He said he had gained access by a private property for testing and will probably have to have an agreement with an abutter to gain access for the treatment. Lisa commented that if any clearing is to be done it will have to be shown on a plan.

Mr. Ladewig said the project will take approximately one day.

Mike Yunits suggested adding a condition allowing Jennifer Carlino to authorize any clearing that might have to be done. Jennifer Carlino replied that if clearing is to be done, figures for alteration to BVW and floodplain will have to be added to the plan.

Deborah Fillion, 125 Newland Street had concerns with the fish in the pond and the possible consumption of that during and after treatment. David Henry commented that the pond will be posted during treatment. Mr. Ladewig replied that there are no restrictions regarding fish or swimming.

Motion by Lisa Carrozza to close the public hearing, seconded by Julian Kadish. Approved.

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The members reviewed the draft Order of Conditions. Minor edits were made to the conditions.

Motion by Lisa Carrozza to sign and issue the Order of Conditions, as amended, seconded by Ron O'Reilly. Approved.

7:46 pm Notice of Intent – (**#250-978**) – **Michael Yunits, Town of Norton – Parcels 229 & 230, 525, 733 & 65 (Assessor's Maps 9, 10, 3 & 16) Mansfield Avenue, Norton Reservoir – (cont. from the April 25, 2016 mtg.)** - for proposed plans for an aquatic plant management program to treat and remove aquatic invasive plant species using a variety of methods in the Norton Reservoir.

Document List

1. WPA Form 3-Notice of Intent.
2. CD – Town of Norton Lake/Pond Management Action Plan – Updated Vegetation Management Recommendations ESS Project No. N490-000

David Henry noted the project was continued for the Order of Conditions.

Jennifer Carlino commented she had included draft Conditions with the agenda for this project.

Motion by Ron O'Reilly to close the public hearing, seconded by Julian Kadish. Approved.

The members reviewed the draft Order of Conditions. Minor edits were made to the conditions.

Motion by Lisa Carrozza to sign and issue the Order of Conditions, as amended, seconded by Julian Kadish. Approved.

7:47 pm Notice of Intent – (**#250-976**) – **Stephen Kelly/Wheaton College – Peacock Pond, Wheaton College Campus Parcel 14-03 (Assessor's Map 17) – (cont. from the April 25, 2016 mtg.)** - for proposed plans for an Aquatic Management Program to control nuisance, non-native plants and algae growth utilizing a manual, mechanical and chemical actions in Peacock Pond.

Document List

1. WPA Form 3 – Notice of Intent
2. Greenclean Product Evaluation and Recommendation (October 2010)
3. Greenclean Specimen Label
4. Sonar Genesis document

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David Henry noted the project was continued for the Order of Conditions.

Jennifer Carlino commented she had included draft conditions with the agenda for this project.

Motion by Julian Kadish to close the public hearing, seconded by Lisa Carrozza. Approved.

The members reviewed the draft Order of Conditions. Minor edits were made to the conditions.

Motion by Lisa Carrozza to sign and issue the Order of Conditions, as amended, seconded by Julian Kadish. Approved.

7:48 pm Notice of Intent - (**#250-972**) – **Lloyd Geisinger – Campanelli Thorndike Norton, LLC – Parcel 20 (Assessor's Map 11) & East Main Street Right-Of-Way – East Main Street – (cont. from the April 25, 2016 mtg.)** - for proposed plans for construction of a sidewalk, headwall replacement and drainage improvements within 100 feet of wetlands, bank and in Canoe River ACEC.

Document List

1. WPA Form 3 – Notice of Intent
2. Plan entitled “Norton Apartments, Campanelli Thorndike Norton LLC/Plan to Accompany Notice of Intent (Sidewalk) prepared by Kelly Engineering Group, Inc., signed and stamped by David Noel Kelly and dated February 4, 2016. **Latest revisions: March 18, 2016.**
3. Letter dated February 12, 2016 to Mark Manganello, LEC Environmental Consultants, Inc. from Jennifer Carlino.
4. Color photos
5. Letter dated April 6, 2016 to the Norton Conservation Commission from Mark L. Manganello, LEC.

David Henry noted the project was continued for the Order of Conditions.

Jennifer Carlino commented that she had included draft conditions with the agenda for this project.

Motion by Ron O'Reilly to close the public hearing, seconded by Julian Kadish. Approved.

The members reviewed the draft Order of Conditions. Minor edits were made to the conditions.

Motion by Dan Pearson to sign and issue the Order of Conditions, as amended, seconded by Jan Franceschelli. Approved.

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7:20 pm Amended Order of **Conditions - (#250-960) – Condyne Capital Partners – Parcel 116 (Assessor’s Map 24) 60 Commerce Way – (cont. from the April 25, 2016 mtg.)** - to amend/modify the building size, stormwater management and drainage changes, installation of fuel island and a new water line.

Document List

1. Letter dated February 17, 2016 to the Conservation Commission from Mark Dibb, Condyne Engineering Group requesting an Amendment to Order of Conditions File #250-960.
2. Plan entitled “Site Plans” RYDER 60 Commerce Way, Norton Commerce Center, Norton, Massachusetts, prepared by Condyne Engineering Group, signed and stamped by Mark Dibb and dated February 17, 2016 (Sheets C1 – C14).
3. Stormwater Management Report revised on: **April 6, 2016.**
4. Plan entitled “Norton Commerce Center” 60 Commerce Way, Lot 116-Cul-De-Sac, Existing Drainage Area Plan revised on July 20, 2015.
5. Plan entitled “Norton Commerce Center” 60 Commerce Way, Proposed Drainage Area Plan revised on March 28, 2016.
6. Plan entitled “Norton Commerce Center” 60 Commerce Way, Grading and Drainage Plan revised on March 28, 2016.
7. Plan entitled “Site Plans” RYDER 60 Commerce Way, Norton Commerce Center, Norton, Massachusetts, prepared by Condyne Engineering Group, signed and stamped by Mark Dibb and dated February 17, 2016 (Sheets C1 – C14) with latest revisions on **March 28, 2016.**
8. Vernal Pool Observation Report dated May 4, 2016.
9. Email from Jennifer Carlino dated May 11, 2016.
10. Report from John Chessia, Chessia Consulting Services, LLC dated May 13, 2016
11. NHESP guidelines regarding vernal pools.

Attending the public hearing was Mark Dibb, Condyne Engineering Group, Wetland Scientist, Brad Holmes and John Chessia, Chessia Consultants, for the Commission.

Lisa Carrozza recused herself from the public hearing.

Mr. Dibb updated the members on the project. He noted that since the previous meeting with the Commission a proposal to review the plans to date was received by John Chessia who then sent a report of his review. He made the following comments in response to an email received from Jennifer Carlino on May 11, 2016.

- He had revised plans with him this evening but wanted to keep revising them before submitting them.
- He intends to move the slopes near the vernal pool 1:1 with the existing boulders further away for the vernal pool.

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- He moved the snow storage area.
- He prefers to keep the infiltration system as designed and noted all water will flow into the infiltration basin. He noted subsurface systems can be difficult to monitor or maintain.
- He said the water line extension has been added to the plans.
- Specific details about the erosion control blanket have been added to the plan.
- The subsurface infiltration trench shown on detail sheet 7 has been removed.
- The poly liner has been added to the concrete washout detail.
- He was informed of a certified vernal pool but said he still meets the storm water regulations regarding the infiltration basins as the vernal pool is not within a bordering vegetated wetland.
- All vehicle repairs and truck washing are done on site inside the building with 4 floor drains.

Mr. Dibb proceeded to go through and response to John Chessia's Report dated May 13, 2016 as follows:

- The vernal pool issue has been addressed.
- He pointed out areas where the grading can be pulled further from the wetlands.
- He said he is still working on issues related to the Post Development Peak Discharge Rates.

David Henry asked Mr. Dibb to elaborate on issues he would like to discuss other than issues he is currently working on for the revised plans.

Mr. Dibb commented he would revise the plans for the next meeting.

John Chessia noted some of the grades were not correct on the plan.

Mark Dibb replied that he would make the appropriate grade changes.

John Chessia noted that per the Storm Water regulations, storm water BMPs cannot be located within 100 feet of a vernal pool. He commented the storm water system at the front of the property regarding the vernal pool was ok but the system near the vernal pool at the rear has to be revised.

Brad Holmes commented that a Certified Vernal Pool has to be located within a State Resource Area in order to require protection under the Wetlands Protection Act. He continued to say that the vernal pool at the rear of the property is not located in a State Resource Area. Jennifer Carlino said the storm water management doesn't specify wetland jurisdiction. It says 100 ft. setback from a Certified Vernal Pool.

Motion by Ron O'Reilly to continue the public hearing to the next regular meeting of Monday, June 13, 2016 seconded by Dan Pearson. Approved.

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7:25 pm Notice of Intent – (**#250-968**) – **William Brandon – Parcel 10 (Assessor's Map 28) – 131 Taunton Avenue – (cont. from the April 25, 2016 mtg.)** - for proposed plans for construction of an access driveway, utility installation and grading within 100 feet of wetlands and to fill and replicate 3,491 sq. ft. of wetlands.

David Henry noted an email has been received requesting a continuation of the public hearing to the next regular meeting.

Motion by Dan Pearson to continue the public hearing to the next regular meeting of Monday, June 13, 2016, seconded by Julian Kadish. Approved.

7:30 pm Request for an Amendment to Order of Conditions – (**#250-888**) - **129 Newland Street LLC – Parcels 4 & 22 (Assessor's Map 2) Newland Street – (cont. from the April 25, 2016 mtg.)** - for proposed plans to change 7 3-story apartment buildings to 3 3-story buildings (with the same number of units) and to modify drainage and grading within 100 feet of wetlands and in the Canoe River ACEC.

Jennifer Carlino commented that at the previous meeting of April 25, 2016 the applicant had requested a continuation of the public hearing to Monday, May 16, 2016. She noted that no one is here this evening representing the project and she has not received any communication from the applicant after the last meeting.

It was suggested that Jennifer Carlino send a letter to the applicant requesting they attend the next meeting to present their request for an Amendment.

Motion by Lisa Carrozza to continue the public hearing to the next regular meeting of Monday, June 13, 2016, seconded by Julian Kadish. Approved.

REQUEST FOR A PARTIAL/FULL CERTIFICATE OF COMPLIANCE

#250-570
(full)

Diane & Lindly Bonner
(Sewer Project)

Parcel 53 (Map 19)
2 Charlotte Avenue

Sewer project on Lake Winnecunnet area

Jennifer Carlino stated the project has been completed as proposed. Motion by Lisa Carrozza to issue the Certificate of Compliance, seconded by Julian Kadish. Approved.

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#250-953

(full)

Steve Kelleher

c/o Varsity Wireless, LLC

Parcels 9 & 9-01 (Map 26)

380 Old Colony Road

---construction of a telecommunications facility and access road and stormwater management.

Jennifer Carlino commented that the project has not been constructed according to the approved plans. She said that the swale has not been constructed and there is gravel where paving should be. She noted she has seen ATV tracks on the property and the property is not stabilized yet.

Motion by Lisa Carrozza to deny the request for a Certificate of Compliance, seconded by Julian Kadish. Approved.

#250-827

(full)

Richard Gomes

c/o Anthony Correia

Parcel 40 (Map 16)

11 Young Avenue

---repair/replace septic system within 200 feet of a perennial stream/wetlands.

Jennifer Carlino stated the project has been completed as proposed. Motion by Lisa Carrozza to issue the Certificate of Compliance, seconded by Dan Pearson. Approved.

#250-668

(full)

Chris & Tina Vittorini

Christopher Pinheiro

Parcel 144 (Map 27)

84 Barrows Street

Jennifer Carlino stated the project has been completed as proposed. Motion by Lisa Carrozza to issue the Certificate of Compliance, seconded by Julian Kadish. Approved.

Duplicate Certificate of Compliance for **File #250-256 – 43, 45, 46 & 48 Charlotte Avenue.**

---re-locate and pipe an intermittent tributary to Lake Winnecunnet and to repair two septic systems.

Motion by Julian Kadish to issue the duplicate Certificate of Compliance for **File #250-256**, seconded by Dan Pearson. Approved.

Duplicate Certificate of Compliance for **File #250-728 – 10 West Hodges Street.**

--septic repair.

Motion by Julian Kadish to issue the duplicate Certificate of Compliance for **File #250-728**, seconded by Dan Pearson. Approved.

Discussion: amendment to existing plans for **DEP File #250-971 – 7 Dean Street**

Jennifer Carlino commented that the house was changed slightly, the garage has been moved back 21 feet, a deck and porch has been added all within the limit of work. She suggested the work is minor and will not require an Amended Order of Conditions.

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Motion by Julian Kadish that the changes to the project for **File #250-971 – 7 Dean Street** will be minor and not require an Amended Order of Conditions, seconded by Dan Pearson. Approved.

OLD BUSINESS

Violations:

90A Freeman violation – No new information

241 Dean Street – No new information

#250-38 – 162 West Main Street – Jennifer Carlino noted she is waiting for a draft Enforcement Order to be reviewed by Town Counsel.

NEW BUSINESS

Oren Sigal letter to Conservation Commission regarding Conservation Restriction at 274 East Main St.

--Oren Sigal addressed the Commission and requested information regarding the Conservation Restriction and Jennifer Carlino noted that nothing has been submitted to date and that any discussions regarding the Conservation Restriction are private between the Conservation Commission and the owner. She commented that when a request is received she will notify Mr. Sigal.

Kingsbury Hill Condominiums letter re: 274 East Main Street road project. (**#250-920**)

Jennifer Carlino noted that she received a letter from the residents complaining about the status of the road and tree removal in front of 274 East Main Street and David Eastridge is investigating the issue at this time. She said it will be on the agenda at a later date.

Reservoir Update

Report from Staff

Site visits

Waterbodies Committee update

Grants

Open Session (topics not reasonably anticipated 48 hours in advance)

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The meeting adjourned at 10:13 pm.

Minutes Approved by Committee on: _____
(Date)

Respectfully submitted,

Signature:

Scott Ollerhead
(Name)

Chairman, _____